

EXHIBIT 49

Confidential



Transcript of **Sarah Wolff**

Monday, May 2, 2022

National Coalition on Black Civic Participation, et al. v. Jacob Wohl, et al.

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Reference Number: 115543

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2 UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK

4 NATIONAL COALITION ON BLACK CIVIC PARTICIPATION,
5 MARY WINTER, GENE STEINBERG, NANCY HART,
6 SARAH WOLFF, KAREN SLAVEN, KATE KENNEDY,
7 EDA DANIEL, and ANDREA SFERES,

8 Plaintiffs,

9 -and-

10 People of the STATE OF NEW YORK, by its attorney
11 general, LETITIA JAMES, ATTORNEY GENERAL OF THE
12 STATE OF NEW YORK,

13 Civil Action No.

14 -vs- 1:20-cv-08668-VM-OTW

15 JACOB WOHL, JACK BURKMAN, J.M. BURKMAN & ASSOCIATES,
16 LLC, PROJECT 1599, MESSAGE COMMUNICATIONS, INC.,
17 ROBERT MAHANIAN, and JOHN and JANE DOES 1-10,

18 Defendants.

19 TRANSCRIPT of the stenographic notes of
20 the REMOTE VIDEOCONFERENCED deposition of SARAH
21 WOLFF in the above-entitled matter, as taken by and
22 before CHRISTINA COCHRAN, a Court Reporter and
23 Notary Public of the State of New York, held on May
24 2, 2022, commencing at 2:00 p.m., pursuant to
25 Notice.

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2 A P P E A R A N C E S:

3 (ALL APPEARANCES ARE VIA REMOTE VIDEOCONFERENCE

4 AND/OR TELEPHONE)

5

6 OORICK, HERRINGTON & SUTCLIFFE, LLP

7 Attorneys for Plaintiff

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9 New York, New York 10019

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15 Attorney for Defendants

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18 BY: RANDY E. KLEINMAN, ESQ.

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21

22 ALSO PRESENT:

23 Marc Epstein, Esq., Attorney for Plaintiff

24 Franklin Monsour, Esq., Attorney for Plaintiff

25 Colleen Faherty, Office of The Attorney General

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2 question.

3 Q. Sure. Do you compile the material and
4 give that to reporters or what exactly do you mean?

5 A. I bring video in from different places
6 and if anyone needs it, they can use it.

7 Q. Got it. What is your race?

8 A. I am Caucasian.

9 Q. And what is your ethnicity?

10 MS. ROEHRS: Objection.

11 A. I am not -- clarify that? I mean.

12 Q. Sure. Are you, is your lineage Eastern
13 European? Or is it --

14 A. Yeah. Yes, Eastern European, Jewish.

15 Q. Me too. What are your current political
16 affiliations?

17 MS. ROEHRS: Objection.

18 Q. Can you answer.

19 A. Are you asking how I'm registered to
20 vote? What party I am registered to veto with?
21 Could you clarify that?

22 Q. I'd be happy to. I'll ask a bunch of
23 questions. First of all, are you registered to
24 vote?

25 A. Yes.

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2 Q. And where are you registered to vote
3 specifically?

4 A. In New York City.

5 Q. And your voter registration address is
6 the address you gave on the record before?

7 A. Yes.

8 Q. And was that the same address that you
9 were registered at for the November 2020
10 presidential election?

11 A. Yes.

12 Q. And what political party are you
13 registered for?

14 MS. ROEHRS: Objection. You can answer.

15 A. I'm registered as a democrat.

16 Q. How long have you been registered as a
17 democrat?

18 MS. ROEHRS: Objection. You can answer.

19 A. Since I was 18, don't make me do the
20 math, please.

21 Q. I'm sure that plays real well over at Fox
22 News, too.

23 MS. ROEHRS: Objection.

24 Q. You don't need to answer. Did you vote
25 in the 2020 presidential election?

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2 A. No.

3 Q. Now, you mentioned before that you
4 studied political science, and I know you work for
5 Fox News, do you consider yourself an expert in
6 politics?

7 MS. ROEHRS: Objection.

8 A. I don't consider myself an expert in
9 anything, actually.

10 Q. Okay, that's fair. Do you know what
11 happens to the personal information of an individual
12 who utilizes mail-in voting?

13 MS. ROEHRS: Objection.

14 A. What happens to the information? No, I
15 don't know what happens to it.

16 Q. Just bear with me for a second.

17 How did the robocall impact your life?

18 A. Well, the day I got the robocall, I was
19 working at home and I answered the call and listened
20 to it and got really angry about the call, basically
21 stopped doing what I was doing, which was my job,
22 and started trying to figure out who the heck to
23 call to report this to. It made me angry. It just
24 made me upset that this kind of thing was happening
25 and it's ended up taking some of my time to devote

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2 to working on this and that is fine because I don't
3 think this should keep happening but this seriously
4 pissed me off, this call. I got really upset and
5 every time I would tell someone about it, I would
6 get all upset again.

7 Q. Aside from what you just told me, has it
8 personally affected you in any other way?

9 A. I don't know what you mean by "personally
10 affected". Other than, like I say, I continue to be
11 angered about this call and what it may or may not
12 have been intended to do and the overall idea that
13 some people are being discouraged from voting.

14 Q. Have you been diagnosed with any type of
15 psychiatric, psychological or mental health
16 condition as a result of receiving the call?

17 MS. ROEHRS: Objection.

18 A. No.

19 Q. Okay. Have you sought any mental health
20 treatment as a result of your feelings about the
21 call?

22 MS. ROEHRS: Objection.

23 A. No.

24 Q. And so do you believe that being angry
25 and upset is a valid basis to bring a lawsuit?

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2 MS. ROEHRS: Objection.

3 A. I don't believe this lawsuit is based on
4 people being upset, no. I don't participate in
5 lawsuits just because I get annoyed.

6 Q. So what is your understanding of why you
7 are participating in this lawsuit?

8 MS. ROEHRS: Objection.

9 A. My understanding, and what I am trying to
10 do here, is make sure that these kinds of calls stop
11 because they are wrong.

12 Q. Now, you mentioned that you devoted time
13 as a result of this lawsuit. Did you lose any
14 income because of that?

15 MS. ROEHRS: Objection.

16 A. No.

17 Q. What damages, if any, did you sustain as
18 a result of this robocall?

19 MS. ROEHRS: Objection.

20 A. What do you mean "damages"?

21 MS. ROEHRS: Objection.

22 Q. Well, did you, how did you, what injuries
23 if any, did you sustain as a result of this lawsuit?

24 MS. ROEHRS: Objection.

25 A. As I have said, this has made me very

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2 upset and angry and I have taken time out from other
3 things that I would be doing to participate in this.
4 It has taken time away from other things.

5 MR. KLEINMAN: Okay, you know what, it's
6 been just about an hour. I would love to refill my
7 water. Do you want to take a quick break?

8 MS. ROEHRS: Sounds good.

9 THE WITNESS: Sure.

10 MR. KLEINMAN: Okay, we'll do 10? Does
11 10 work for everybody?

12 MS. ROEHRS: That works.

13 MR. KLEINMAN: Okay. We can go off the
14 record.

15 (Recess was taken from 2:59 p.m. until
16 3:09 p.m.)

17 BY MR. KLEINMAN:

18 Q. Prior to receiving the robocall, had you
19 heard of Jack Burkman?

20 A. When I heard the name on the call, it
21 sounded vaguely familiar. I didn't really know why
22 but it just seemed like I had heard the name before.

23 Q. Okay, but you don't recall one way or the
24 other how or why?

25 MS. ROEHRS: Objection.

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2 STATE OF NEW YORK)

3 COUNTY OF NEW YORK)

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5 I, CHRISTINA COCHRAN, a shorthand reporter and
6 Notary Public, do hereby certify that I reported in
7 shorthand the proceedings had at the Examination
8 aforesaid, and that the foregoing is a true,
9 complete and correct transcript of the proceedings
10 of said Examination as appears from my stenographic
11 notes so taken and transcribed under my personal
12 direction.

13 I further certify that I am not a relative or
14 employee of counsel/attorney for any of the parties,
15 nor a relative or employee of such parties, nor am I
16 financially interested in the outcome of the action.

17 WITNESS MY HAND, this day, May 2, 2022.

18

19



20

Christina Cochran

My commission expires:

21

Notary Public

May 2, 2023

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